

**Certificate for Personnel Participating As Judges for America COMPETES  
Reauthorization Act of 2011 Prize Competitions:  
Nondisclosure, Conflicts of Interest & Rules of Conduct**

Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Title of Challenge: \_\_\_\_\_

- 1) I acknowledge that I have been selected to participate as a judge in the challenge identified above. I am aware that during the course of executing my duties in the above identified challenge, I may be exposed to business proprietary information, as well as internal deliberations leading to a decision naming a challenge winner.
- 2) I certify that I will not knowingly disclose any information obtained during the judging process (e.g., application materials not already in the public domain, comments and deliberations of the judging panel), directly or indirectly, to any person other than a person authorized by the head of the agency or party with legal rights to receive such information. I understand that unauthorized disclosure of such information may subject me to substantial administrative, civil and criminal penalties, including fine, imprisonment, and loss of employment under applicable laws and regulations.
- 3) To the best of my knowledge, I certify that I do not have personal or financial interests in, or am an employee, officer, director, or agent of, any entity that is a registered participant in a competition, and I do not have a familial or financial relationship with an individual who is a registered participant.
- 4) I certify that I will operate in a transparent manner in accord with the following minimum standards of conduct:
  - A. Will base each prize proposal evaluation on the published evaluation factors;
  - B. Will remain free from bias in making selection decisions;
  - C. Will provide a written narrative statement to the U.S. Department of Health and Human Services (HHS) demonstrating the basis of each evaluation of a prize proposal that I conduct, and the use of the published evaluation factors for those evaluations;
  - D. Will not discuss evaluation of matters related to competition entries or the judging thereof with any unauthorized individuals, including Government personnel, even after competition award, without specific prior approval from proper authority;
  - E. Will not disclose a participant's proposal to another participant or other individuals except for immediate prize competition staff as necessary;
  - F. Will remain free from conflicts of interest with participants;
  - G. Will disclose to HHS any contact during a competition with a participant regarding prospective employment;
  - H. Will not ask for, demand, exact, solicit, seek, accept, receive, or agree to receive, directly or indirectly, accept, directly or indirectly, any money, gratuity, or other thing of value from any officer, employee, representative, agent, or consultant of an applicant. I will advise my family that the acceptance of any such money, gratuity, or other thing of value may be imputed to me as a violation and must therefore be avoided.
  - I. Will not solicit or accept any promise of future payment, employment or business opportunity from, or engage, directly or indirectly, in any discussion of future payment, employment or business opportunity with any applicant or any officer, employee, representative, agent, or consultant of an applicant.
- 5) I understand that my obligations under this certification are of a continuing nature. If at any time during the judging process, I receive a contact from an applicant in the prize competition I am judging concerning payment, employment or other business opportunity or the offer of a gift from an applicant's competitor, or I encounter circumstances where my participation as a judge might result in a real, apparent, or potential conflict

of interest, I will immediately seek the advice of an Ethics Counselor and report the circumstances to the Challenge Manager.

- 6) These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.)(governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Codes, and section 4(b) of the subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.
- 7) The acknowledgement and signature provided does not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

I understand that making a false, fictitious, or fraudulent certification may subject me to prosecution under Title 18, United States Code, Section 1001.

Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Title of Challenge: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date